

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44550 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -KOCHAS District- SASARAM (ROHTAS)

=====

1. Sanjay Paswan son of Tengari Paswan resident of Village & P.S. Kochas,
District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Matloob Rab

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.05.2017 in connection with Kochas P.S. Case No. 52 of 2017
for offences punishable under Sections 302, 201, 120(B) of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that her husband, being a truck driver, while taking the truck
loaded with goods, the petitioner along with two others intercepted
and took away the informant's husband and killed him by
assaulting and his dead body was taken away to another place.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history. He



submits that allegation is general and omnibus against all the accused persons and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner along with others have killed the informant's husband by means of iron rod.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner and accordingly, his prayer for bail stands rejected in connection with Kochas P.S. Case No. 52 of 2017 pending before learned Additional Chief Judicial Magistrate-I, Rohtas at Sasaram.

However, the petitioner will co-operate in the disposal of the trial and once the charge has been framed, the learned court below will release the petitioner on bail on its own satisfaction.

(Nilu Agrawal, J)

sushma/-

U		T	
---	--	---	--

